

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATIONAL LACROSSE LEAGUE,)	
)	
Plaintiff,)	CASE NUMBER: 08 CIV 3971
)	
v.)	
)	AFFIDAVIT OF SERVICE UPON SMS
SMS SPORTWORKS ENTERTAINMENT)	SPORTWORKS ENTERTAINMENT
AND STARLIGHT SPORTS &)	
ENTERTAINMENT INC, d/b/a)	
VANCOUVER RAVENS LACROSSE)	
CLUB, INC., et al,)	
)	
Defendants.)	

I, Avtar Bains, do hereby make oath and do solemnly swear:

1. That I am over the age of 21 and a non-party to this action;
2. That I am a Process Server employed by Action Process Serving Ltd. whose business address is 450-850 West Hastings Street, Vancouver, British Columbia, V6C 1E1, Canada and am authorized to serve legal process in Canada;
3. That on or about June 12, 2008, I was instructed by my manager, Lesley Ord, in turn instructed by Legal Language Services, an international litigation support firm located in Leawood, Kansas, in turn instructed by plaintiff's attorneys of the law firm Sonnenschein Nath & Rosenthal LLP to serve upon defendant SMS Sportworks Entertainment ("SMS") the following documents:

- 1 Hague Service Convention *Notice*
- 2 Hague Service Convention *Summary of the Document to be Served* with Attachment A
- 3 *Summons in a Civil Action*
- 4 *Complaint with Exhibits A & B*
- 5 *Rule 7.1 Statement*
- 6 *Individual Rules and Procedures for Judge Shira A. Scheindlin*

4. That according to information provided by plaintiff's attorneys, Tom Mayenknecht is an officer of SMS and works at Emblematica Brand Builders, 4384 West 8th Ave., Vancouver, BC and resides at 306-1288 Marinaside Crescent, West Vancouver, BC, V6Z 2W5;
5. That on June 12, 2008 at 5:30 p.m. I did travel to 4384 West 8th Ave. with the intention of serving the above-referenced documents upon Mr. Mayenknecht; that upon arriving at 4384 West 8th Ave., I found that this was a residence; that I spoke with a gentleman who identified himself as "Anthony" who said that Mr. Mayenknecht did not live there but that he would attempt to contact Mr. Mayenknecht on my behalf; that I left my cellular number with a message for Mr. Mayenknecht to contact me;
6. That on June 12, 2008 at 5:51 p.m., I did travel to 306-1288 Marinaside Crescent with the intention of serving the above-referenced documents upon Mr. Mayenknecht; that I buzzed the intercom code #1029 listed to Mayenknecht, but no one answered, so I left a message on the intercom asking Mr. Mayenknecht to contact me and left the premises;
7. That on June 13, 2008 at 3:17 p.m., I did travel to 306-1288 Marinaside Crescent with the intention of serving the above-referenced documents upon Mr. Mayenknecht; that I buzzed the intercom code #1029 listed to Mayenknecht, but no one answered and I left the premises;
8. That on June 13, 2008, I received a telephone call from a man who identified himself as Tom Mayenknecht; that I explained to Mr. Mayenknecht that I had documents to deliver to him and we agreed to meet at a convenient location at 111

Robson Street in Vancouver on June 16th, 2008 at 12:45 p.m.;

9. That on June 16, 2008 at 12:47 p.m., I did travel to 111 Robson Street where I met a man who identified himself as Tom Mayenknecht; that I handed the above-referenced documents to him and said, "You are served with legal process" and Mr. Mayenknecht accepted the documents;
10. That Mr. Mayenknecht is clean-shaven with light brown hair, in his mid-40s, approximately 5'10" tall and 180-190 pounds with a fit build;
11. That I believe service to have been effected upon defendant SMS Sportworks Entertainment in accordance with a method prescribed by the internal laws of British Columbia, Canada for civil matters within this jurisdiction and thus in accordance with Article 10(b) of the *Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters* and in compliance with the laws of the United States.

I declare under penalty of perjury under the laws of the United States that the foregoing statements are true and accurate to the best of my knowledge and belief.

SWORN at Vancouver, British Columbia, Canada before me on this 23rd day of June 2008.


[signature of Canadian Commissioner]


Avtar Bains, Process Server

STEPHEN J. MORRIS
Barrister & Solicitor
[seal of Canadian Commissioner]
110 - 600 West Hastings
Vancouver, BC, V6C 1E1